REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	29 July 2004
Name of applicant/court:	Accent Film Entertainment Pty Ltd
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Irreversible
Other Known Title(s):	Not Stated
Director(s):	Gaspar Noë
Producer(s):	Christophe Rossignon
Publisher:	Not Applicable
Author(s):	Not Applicable
Format:	Film 35mm
Country of Origin:	France
Language(s):	French, with English subtitles

Components of film originally examined:

Feature:	Irreversible	Running Time:	98.30
Trailers:	Nil	Running Time:	
		Total Running Time:	98.30

Excision/Alteration: No Excisions Recommended.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years and for the purposes of theatrical exhibition or study in tertiary institutions only.

Display Conditions:

Nil.

Descriptive Note:

Brutal sexual violence, graphic violence and sex scenes.

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Direction to issue a label has been given on: 28 July 2004

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SUMMARY OF THE REASONS FOR DECISION:

The 35mm film *Irreversible* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years and for the purposes of theatrical exhibition or study in tertiary institutions only.

Irreversible was submitted under s42(3) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) for reconsideration of the publication's classification. The distributor asked for a classification that would allow theatrical release for the film in New Zealand.

The Classification Office examined *Irreversible* in 2003 and found that it was not objectionable in terms of the criteria of the FVPC Act if restrictions on its availability were imposed. At that time the publication was made available to adults and was further restricted for the purpose of study in a tertiary institution, or for the purpose of exhibition as part of the 2003 Beck's Incredible Film Festival or a film festival organised by an incorporated film society. The original classification of *Irreversible* was registered on 28 April 2003 (OFLC No. 300049). The descriptive note, "Brutal sexual violence, graphic violence and sex scenes" was attached.

Irreversible contains scenes of extreme violence and sexual violence, explicit sexual images and dialogue, and other problematic elements such as portrayals of drug use and offensively racist, misogynistic and homophobic representations. Two scenes are of particular concern for their lengthy and graphic depictions of murder and rape.

The Classification Office has considered excisions to these key scenes and finds that to reduce their length would diminish the impact of scenes that confront audiences with the horrific nature of rape and the sickening brutality of murder. Excisions to make the scenes palatable would destroy these messages. Audiences are likely to find the material shocking and disturbing. However, the film is also likely to provoke a thoughtful response to the issues it presents. A clear majority of the public, professional and critical reactions to the film that the Office canvassed in 2003 were based on serious consideration of the film's treatment of gender relations and violence. The film, therefore, contributes to this wider discourse and to critical film debate on screen representations of violence and sexual violence.

In view of the strength of the material and the potential for harm arising from inadvertent exposure or uninformed viewing, the Classification Office took a cautious approach to the question of availability in its previous decision. Reaction from the limited viewing of the film that followed our decision has confirmed that, while *Irreversible* may shock and disturb audiences, it tends to provoke reflection and discussion. No evidence of injury to the public good arising from harm to adult viewers has come to the Office's attention. The film has had widespread theatrical release in other jurisdictions. It has gone on to commercial release in several countries, including Australia, following an initially limited release at film festivals in those countries. This pattern of release, of general theatrical exhibition following an initially limited exposure in film festivals, appeals because of its cautious and gradual approach to balancing the freedom of expression with the need to minimise the risk of injury to the public good that the film’s availability may cause.

The Classification Office is mindful of the need to preserve the widest possible availability of the film. The New Zealand Bill of Rights Act 1990 requires that the classification of a publication should represent the minimum interference with the freedom of expression consistent with preventing likely injury to the public good. Taking the above factors into account, the Office has agreed to the further step of allowing *Irreversible* to be released for theatrical screening. The widening of *Irreversible*’s availability does not, however, apply to DVD and video versions of the film offered for supply to the public. Restriction to theatres where access is controlled prevents the possibility inherent in video and DVD formats of access by persons under the age of 18 years and of inadvertent exposure to the material in the private viewing situation. Restricting the exhibition of the film to public forums also prevents editing and reproduction.

OFLC No: 401147